
Schedule No. **10**

**Courts of
Limited Jurisdiction
Records Schedule**

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MONTANA LOCAL GOVERNMENT RETENTION AND DISPOSITION SCHEDULES

Schedule for: **COURTS OF LIMITED JURISDICTION** (Justice of the Peace, City, & Municipal Courts)

Record Series Title and Description	Retention and Disposition	Citation/Comments
1 ANNUAL CASE LISTS List of all cases handled; an alphabetical index. May be manual or computerized. Contains names and case numbers.	Retain 10 years; destroy	If this information is computerized, it may be converted to COM* for long-term storage.
2 CIVIL CASES May be composed of initiating documents (complaints, petitions, etc.), pleadings, motions, and other documents submitted by case parties, copies of various types of notices, minutes, summons, subpoenas, etc., court orders, judgments, and other case disposition documents. <i>See also</i> Prior Offense Records. a Closed cases b Attachments/judgments pertaining to domestic violence, violations of protective orders, or any other attachments that may be necessary for a felony conviction	a Retain 10 years; destroy b Permanent, unless ordered otherwise by a court; in that case retain for the duration of the order	b May microfilm attachments; if this information is computerized, it may be converted to COM* for long-term storage.
3 CIVIL DOCKET BOOKS Books—usually hardbound—to document activity on a case.	Permanent	If this information is computerized, it may be converted to COM* for long-term storage.
4 COURT CALENDAR Also called “Monthly Pending Case List” This is ever changing. The date of court appearance is noted on documents in the file.	Retain 2 years after the end of the calendar year for which it applies; destroy.	
5 CRIMINAL CASES May be composed of initiating documents (complaints, petitions, etc.), pleadings, motions, and other documents submitted by case parties, copies of various types of notices, minutes, summons, subpoenas, etc. court orders, judgments, and other case disposition documents. <i>See also</i> Prior Offense Records. a Closed cases b Attachments/judgments for driving under the influence (DUI); domestic violence; order of protection; minors in possession, drugs; theft; 0.02 or greater under 21; .10 blood alcohol test result (per se); or any other attachments that	a Retain 10 years; destroy b Retain 75 years after disposition and conviction; destroy	b May microfilm attachments; if this information is computerized, it may be converted to COM* for long-term storage

* COM is Computer Output Microfilm/fiche
(CD-ROM is not recommended at this time for long-term storage—permanent or 75 years—since the technology to read it may not be available in the future.)

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6 CRIMINAL DOCKET BOOKS Books—usually hardbound—used to document activity on a case.	Permanent	If this information is computerized, it may be converted to COM* for long-term storage.
7 DISSEMINATION LOG Audit trail of access to computerized records. May include the following information pertaining to access to records: date, time, case type and number being accessed, security code, access code, department, reason for access, person accessing the record. <i>See also</i> Prior Offense Records.	Retain 10 years; destroy	If this information is computerized, it may be converted to COM* for long-term storage.
8 FISCAL RECORDS a Audit reports b Bank statements, canceled checks, check stubs c Bank deposit slips/books, bank receipts d Checkbook: used e Checkbook: unused f Cash receipts—record/journal g Cash register tape, daily cash balance record h Collection records i Collections/distribution journal j Fine accounts k Reconciliation reports, monthly l Trust accounts m Trust/time pay disbursements reports n Time payment ledger and files o Receipts: used p Receipts: unused q Requests to data processing to correct errors in accounts receivable on-line system	a Retain 8 years; destroy b Retain 8 years; destroy c Retain 8 years; destroy d Retain 8 years; destroy e Retain 1 year; destroy f Retain 8 years; destroy g Retain 1 year; destroy h Retain 8 years; destroy i Retain 8 years; destroy j Retain 8 years; destroy k Retain 8 years; destroy l Retain 8 years; destroy m Retain 8 years; destroy n Retain 8 years; destroy o Retain 8 years; destroy p Retain 8 years; destroy q Retain 3 years; destroy	If any of this information is computerized, it may be converted to COM* for long-term storage.
9 JURY LISTS/RECORDS Created at the beginning of each fiscal year.	Retain until superseded; destroy	

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Record Series Title and Description	Retention and Disposition	Citation/Comments
10 NOTICE TO APPEAR AND COMPLAINT Tickets, citations <i>See also</i> Prior Offense Records a City b Fish, Wildlife, and Parks (FWP) c Gross Vehicle Weight (GVW) d Highway Patrol e Livestock f Other g Public Service Commission (PSC) h Sheriff i Tribal j University k Parking tickets (all types)	a Retain 10 years, unless disposition b Retain 10 years, unless disposition c Retain 10 years, unless disposition d Retain 10 years, unless disposition e Retain 10 years, unless disposition f Retain 10 years, unless disposition g Retain 10 years, unless disposition h Retain 10 years, unless disposition i Retain 10 years, unless disposition j Retain 10 years, unless disposition k Retain audit + 3 years; destroy	If conviction occurs pertaining to any of the items listed in Prior Offense Records, keep those citations 75 years after disposition.
11 PRIOR OFFENSE RECORDS Separate record of conviction of the following attachments for long-term/life-time charges a 0.10 blood alcohol test results (per se) b ARC-domestic batterer counseling records c Domestic abuse d Driving under the influence (DUI) e Driving with suspended license f Drug possession g Minors in possession h No insurance i Per se 0.02 or greater under 21	a Retain 75 years after disposition b Retain 75 years after disposition c Retain 75 years after disposition d Retain 75 years after disposition e Retain 75 years after disposition f Retain 75 years after disposition g Retain 75 years after disposition h Retain 5 years; destroy i Retain 75 years after disposition	If any of this information is computerized, it may be converted to COM* for long-term storage. May want to microfilm paper records for long-term storage.
12 SEARCH WARRANTS	Retain 75 years after disposition; destroy	If this information is computerized, it may be converted to COM* for long-term storage. May want to microfilm paper records for long-term storage.
13 SMALL CLAIMS CASES The hearing is tape-recorded and a decision is made from the bench at the time of the hearing a Closed claims b Audio tape	a Retain 10 years; destroy b Retain 20 days after judgement (i.e., 10 days after appeal time expires, which is 10 days after judgment)	
14 SMALL CLAIMS DOCKET BOOKS Books—usually hardbound—used to document activity on a case	Permanent (consult State Archives about transfer to an archives)	If this information is computerized, it may be converted to COM* for long-term storage.

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